IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF GEORGIA

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RULE 26 INSTRUCTION ORDER

Federal Rule of Civil Procedure 26(f) requires the parties to confer, develop a proposed discovery plan, and submit a report to this Court. Subsequent to the filing of the report, a Scheduling Order must be entered pursuant to Fed. R. Civ. P. 16(b). Therefore, the parties shall confer as provided in Federal Rule 26(f) by the earlier of 60 days after any defendant has been served with the complaint or 45 days after any defendant has appeared.

See L.R. 26.1(a). Thereafter, within 14 days after the required conference held pursuant to Rule 26(f), the parties shall submit to the Court a written report conforming to the language and format of the Rule 26(f) Report attached to this Order outlining their discovery plan. See L.R. 26.1(b).

Except in unusually protracted or complex cases, the parties will be expected to adhere to the following deadlines and limitations:

- 1. The parties shall serve <u>all written discovery</u> on opposing parties and shall complete all depositions within **140 days** of the filing of the last answer of the defendants named in the original complaint. <u>See</u> L.R. 26.1(d)(i).
- 2. The plaintiff must furnish the <u>expert witness reports</u> required by Federal Rule 26(a)(2) within **60 days** after the Rule 26(f) conference. <u>See</u> L.R. 26.1(d)(ii).

¹The Local Rules may be found on the Court's website at www.gasd.uscourts.gov.

- 3. The defendant must furnish the <u>expert witness reports</u> required by Federal Rule 26(a)(2) within 90 days after the Rule 26(f) conference (or 60 days after the answer, whichever is later). <u>See</u> L.R. 26.1(d)(iii).
- 4. The last day for <u>filing motions to add or join parties or amend the pleadings</u> is **60 days** after the first answer of the defendants named in the original complaint. <u>See</u> L.R. 16.3.
- 5. The last day for <u>filing all other motions</u>, excluding motions in limine, is **30 days** after the close of discovery. <u>See</u> L.R. 7.4.

Plaintiff's counsel, or, if applicable, the *pro se* plaintiff, shall ensure that a copy of this Order is served upon all parties. Finally, a party who cannot gain the cooperation of the other party in preparing the Rule 26(f) Report should advise the Court prior to the due date of the report of the other party's failure to cooperate.

SO ORDERED.

BRIAN K. EPP\$

UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF GEORGIA

| | *** | | _ DIVISION |
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| | Plaintiff |))))) | Case No. |
| | Defendant |) | |
| Part | e of Rule 26(f) confer ies or counsel who p | participa | |
| | y defendant has ye ndant and state wh | | served, please identify the ice is expected. |
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| Date | the Rule 26(a)(1) d | lisclosuı | res were made or will be made: |
| If an Rule | y party objects to n 26(a)(1) or propose osures, | naking t es chang | the initial disclosures required l |
| If an Rule discl | y party objects to n 26(a)(1) or propose osures, Identify the party | naking t es chang | the initial disclosures required by |
| If an Rule discl | y party objects to n 26(a)(1) or propose osures, Identify the party | naking t es chang | the initial disclosures required by |

| | Local Rules provide a 140-day period for discovery. If any by is requesting additional time for discovery, | |
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| (a) | Identify the party or parties requesting additional time: | |
| | | |
| (p) | State the number of months the parties are requesting for discovery: | |
| ths | | |
| (c) | Identify the reason(s) for requesting additional time for discovery: | |
| | Unusually large number of parties | |
| | Unusually large number of claims or defenses | |
| | Unusually large number of witnesses | |
| | Exceptionally complex factual issues | |
| | Need for discovery outside the United States | |
| (d) | Other: Other: Please provide a brief statement in support of each of the | |
| (00) | reasons identified above: | |

| If ar | ny party requests a modification of any of these deadlines, |
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| (a) | Identify the party or parties requesting the modification: |
| | |
| (p) | State which deadline should be modified and the reason supporting the request: |
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| . If th | ne case involves electronic discovery, |
| (a) | State whether the parties have reached an agreement regarding the preservation, disclosure, or discovery of electronically stored information, and if the parties prefer to |
| | have their agreement memoralized in the scheduling order, briefly describe the terms of their agreement: |
| | have their agreement memoralized in the scheduling order, |
| (b) | have their agreement memoralized in the scheduling order, |

| | e case is known to involve claims of privilege or protection of preparation material, |
|-----|---|
| (a) | State whether the parties have reached an agreement regarding the procedures for asserting claims of privilege or protection after production of either electronic or other discovery material: |
| (b) | Briefly describe the terms of any agreement the parties wish |
| (5) | to have memoralized in the scheduling order (or attach any separate proposed order which the parties are requesting the Court to enter addressing such matters): |
| | |
| (c) | Identify any issues regarding claims of privilege or protection as to which the parties have been unable to reach an agreement: |
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| Q | e any other matters the Court should include in its scheduling |

| the possibilities for prompt settlement or resolution of the case. | | | | | | |
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| Please state any specific problems that have created a hindrance | | | | | | |
| to the settlement of the case: | | | | | | |
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| This day of | 20 | | | | | |
| 11115 day 01 | | | | | | |
| Signed: | | | | | | |
| Digited. | Attorney for Plaintiff | | | | | |
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| | Attorney for Defendant | | | | | |

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